

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LOUIS SPRINKLE,	:	CIVIL ACTION NO. 1:12-CV-902
	:	
Plaintiff,	:	(Judge Conner)
	:	
v.	:	
	:	
AMZ MANUFACTURING	:	
CORPORATION, EPY INDUSTRIES,	:	
INC., BOXWOOD MANUFACTURING	:	
CORP., ST. PAUL STREET	:	
ASSOCIATES, INC.,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 13th day of August, 2013, upon consideration of the motion (Doc. 65) to vacate the judgment and mold the verdict to reflect plaintiff's contributory negligence, filed by defendant Boxwood Manufacturing Corp. ("Boxwood"), and construing the request as a motion for relief from judgment pursuant to Federal Rule of Civil Procedure 60(a) ("The court may correct a clerical mistake or a mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record."), and it appearing that a jury in the above-captioned matter returned a verdict on July 9, 2013, in which it attributed 40 percent of negligence to plaintiff Louis Sprinkle and 60 percent of negligence to defendant Boxwood, and stated the total amount of plaintiff's damages as \$24,657.49, (Doc. 60), and it further appearing that when the court entered the judgment (Doc. 63), the amount of the judgment was not reduced by the percentage of negligence attributed to the plaintiff as required by Pennsylvania law, see 42 Pa. C.S.A. § 7102 ("In all actions brought to recover damages

for negligence . . . the fact that the plaintiff may have been guilty of contributory negligence shall not bar a recovery by the plaintiff or his legal representative where such negligence was not greater than the causal negligence of the defendant . . . against whom recovery is sought, but any damages sustained by the plaintiff shall be diminished in proportion to the amount of negligence attributed to the plaintiff.”), it is hereby ORDERED that:

1. The defendant’s motion (Doc. 65) for relief from the judgment is GRANTED; and
2. The judgment (Doc. 63) shall be amended to reflect an award diminished in proportion to the amount of negligence attributed to the plaintiff, *to wit*, 40 percent,
 - a. Judgment for the plaintiff shall be entered in the amount of \$14,794.49.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge